UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, :

12 Cr. 661 (SLT)

:

-against-

:

ALI YASIN AHMED, : MADHI HASHI, and :

MOHAMED YUSUF, :

:

Defendants. : APRIL 6, 2015

PROPOSED JURY QUESTIONNAIRE

CONFIDENTIAL JUROR QUESTIONNAIRE

General Instructions

This questionnaire is designed to help simplify and expedite the jury selection process. Although some of the questions may appear to be of a personal nature, please understand that the Court and the parties must learn enough information about each juror's background and experiences to select a fair and impartial jury.

The purpose of this questionnaire is to provide guidance to the attorneys and the judge in deciding which jurors are best suited to serve on this particular case. Your names and identifying information will not be made a matter of public record. Please answer the questions as honestly and completely as possible. There are no "right" or "wrong" answers; there are only truthful answers. It is important that you are completely candid as to your actual views and feelings. It is also important that your answers to the questionnaire be yours and yours alone. Do not discuss the questionnaire or your answers with anyone, including your family, court personnel and, especially, other prospective jurors. If you do not understand a question, say so on the questionnaire. If a question touches on an especially personal or sensitive matter, please answer "private" and you will be given the opportunity to discuss the matter in private at a later time. There are extra pages at the back if you need more space to answer a question. After reading your questionnaire, Judge Townes may personally interview you in the presence of the lawyers, and give you the opportunity to discuss your answers.

Do not write on the back of any page, only the front pages will be copied. If you need additional space to complete an answer, go to the blank pages at the back of the questionnaire, indicate the number of the question, and continue your answer.

Please answer each question by placing a check next to the correct response or by providing the information requested. Please try to write as legibly as possible. Do not discuss the questionnaire or your answers with your fellow jurors or anyone else.

JUROR #	
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PRELIMINARY INSTRUCTIONS

You must give true and complete answers to all questions. Your responses will be kept confidential. Do not discuss the questions or answers with anyone, including your fellow jurors.

The defendants, Ali Yasin Ahmed, Madhi Hashi and Mohamed Yusuf, have been charged with crimes relating to supporting a designated foreign terrorist organization.

Specifically, each defendant is charged with conspiracy to provide material support and resources to a foreign terrorist organization, namely al-Shabaab, in violation of Title 18, United States Code, Section 2339B; providing material support and resources to al-Shabaab, in violation of Title 18, United States Code, Section 2339B; attempting to provide material support and resources to al-Shabaab in violation of Title 18, United States Code, Section 2339B; receiving military-type training from al-Shabaab in violation of Title 18, United States Code, Section 2339D; and the unlawful use of firearms in connection with one or more crimes of violence, specifically, the crimes charged above, in violation of Title 18, United States Code, Section 924(c).

The defendants have pleaded not guilty and are presumed to be innocent of these charges.

The Nature of an Indictment

An indictment is merely an accusation. It is proof of nothing. You may draw no inference against any defendant from the fact that he has been indicted. Each defendant has pleaded "not guilty" to each of the charges against him and is presumed to be innocent.

JUROR #	

A defendant does not have to prove anything. The government bears the burden of proving the guilt of a defendant beyond a reasonable doubt.

JUROR #
Potential for Hardship
The Court and the parties estimate that the trial in this case will last approximately four
weeks. Jury service is one of the highest duties and privileges of a citizen. The participation of
people like you is essential to the proper administration of justice. The Court recognizes that not
everyone can serve on a case of this length. However, mere inconvenience or the usual financial
hardships of jury service will not be enough to excuse you. You must show that service in this
case would cause an unacceptable amount of personal hardship.
Would you have a serious hardship if chosen for this case?
YES, I would have a serious hardship if chosen for this case. Please answer the questions below, and fully explain your hardship. You must still complete the entire questionnaire.
NO, I would not have a serious hardship if chosen for this case. Please move onto the next section of the questionnaire.
Please explain the hardship and list your current occupation. If you are retired or unemployed, please indicate that fact and list your previous occupation.
Occupation:
Age:
Are you self-employed?
Are you retired?
Will you be paid your salary while you serve jury duty?
Yes No Not sure
Do you have any medical condition that would make it difficult for you to serve as a juror on this case? Yes No If yes, briefly list the condition(s)

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JUROR #	
What is your hardship?	
What arrangements, if any, can you make to alleviate yo	our hardship?

JUROR #	
CONFIDENTIAL JUROR QUESTIONNAIRE	
Please write legibly.	
1. Defendants charged in criminal cases are presumed innocent and cannot be found	
guilty unless the jury, unanimously and based solely on the evidenced presented in this	
courtroom, decides that the guilt of each defendant has been proven beyond a reasonable	
doubt. Do you agree or disagree with these legal principles? Please explain.	
2. The burden of proving guilt beyond a reasonable doubt as to each of these defendants rests entirely with the government. A defendant has no burden to prove his innocence. Do you agree or disagree with this legal principle? Please explain.	
3. Under the United States Constitution, a person accused of a crime does not have to testify in his defense, and his silence may not be used against him. What are your thoughts about this important principle of law? Please explain.	
4 The defendants in this case were born in Somalia What if any affect would the fact that	

they were not born in the U.S. have on your ability to apply these important constitutional

safeguards to these defendants? Please explain.

JUROR #	
5. Would you be able to apply each of these fundamental constitutional safeguards to individuals charged with terrorism? Please explain.	
6. The testimony of a law enforcement officer is entitled to no greater weight or lesser	
weight than that of any other witness. What are your thoughts concerning the testimony of law	
enforcement officers? Please explain.	
7. There may be evidence in this case consisting of tape recordings of conversations taking	
place over the telephone through the use of electronic devices commonly known as "wiretaps."	
Do you have any beliefs or opinions about obtaining or using such evidence that might	
prevent you from fairly considering such evidence at trial? Please explain.	
8. The evidence in this case may include information provided or obtained by individuals	
testifying for the government in exchange for certain benefits, such as a reduced sentence for a	
crime that the individual has admitted to committing or formal or informal immunity from	

JURC	OR #
prose	cution. The testimony of such a witness must be scrutinized with great care; however, the
law p	ermits the government to call these witnesses to testify.
	Do you think that you will be able to evaluate testimony from such witnesses fairly and
impaı	rtially? Please explain.
9.	At the conclusion of the case the Court will charge you on the law and explain to you the
eleme	ents of the crimes charged in the indictment. Do you have personal, religious, philosophical
or oth	her beliefs as to what the law is or should be that would make it difficult for you to follow
the in	structions of the Court or that would make it difficult for you to sit in judgment of another?
Pleas	e explain:
10.	The defendants in this case were raised in homes in which Islam was the religion that the
famil	y practiced. Is there anything about the defendants' Muslim upbringing that would affect
your	ability to be fair and impartial? Please explain.
11.	Do you or anyone close to you practice Islam?
	Yes No
	Who?

JURO	TUROR #		
12.	Do you have any strong opinions regarding the religion of Islam or its adherence explain your views.	erents?	
	Describe any feelings you have that would make it difficult for you to liste ecide this case fairly and impartially, when the case involves Muslim men chial support of terrorism?		
14. that p	Have you or a member of your close family had any personal experience wrejudices you against them?	rith Muslims	
······································	Please explain.	-	
15.	What, if anything, have you heard about a group known as al-Qaeda?		

JURO	OR #	
16.	If you were chosen as a juror in this case, what are your thoughts about whether you	
could	l listen with an open mind and render a fair and impartial verdict in a case where there ma	y
be ev	ridence concerning al-Qaeda?	
	Please explain:	
17.	How closely have you followed the media coverage of the group al-Qaeda?	
18.	Very closely Somewhat closely Not too closely What, if anything, have you heard about a group known as al-Shabaab?	
10.	Please explain.	
19.	If you were chosen as a juror in this case, do you think that you could listen with an open	en
mind	and render a fair and impartial verdict, in a case where there may be evidence concerning	g al
Shab	aab? Please explain.	
20.	How closely have you followed the media coverage of the group al-Shabaab?	
	Very closely Somewhat closely Not too closely	

R #
What, if anything, have you learned from the media coverage about al-Shabaab?
Might the fact that a defendant had once been a member of al-Shabaab, without more,
your ability to fairly evaluate the evidence regarding whether or not the government has
the guilt of each defendant beyond a reasonable doubt? Please explain.
The charges in this case involve allegations related to terrorism. Is there anything about
arges, without more, that might affect your ability to fairly evaluate the evidence regarding
er or not the government has proven the guilt of each defendant beyond a reasonable
Please explain.
Is there anything about the nature of the charges in this case, where the government
that the defendants provided material support to al-Shabaab, a designated Foreign
st Organization, that you feel would affect your ability to fairly evaluate the evidence
ng whether or not the government has proven the guilt of the defendants beyond a
able doubt? Please explain.

JUROR #		
There may be evidence that the authorities tortured government witnesses. What are your		
thts about your ability to rely upon the testimony of a witness who has been tortured?		
e explain.		
The laws of this country, including treaties ratified by Congress, prohibit torture under ircumstance. Do you think that torture is ever justified? Please explain:		
Have you, or anyone close to you, had first hand experience with terrorism? Please explain.		
The defendants in this case were all born in Somalia. (a) Do you have friends or family members who were born in Somalia? Please Explain.		

JUR	OR #
	(b) Do you have friends or family members who were born in Africa?
	Please explain.
29.	How closely do you follow media coverage of events in Somalia?
30.	Have you, or anyone in your family, worked or volunteered in a civilian or nonmilitary rnment capacity anywhere in Africa?
5010	Yes No
	If yes, please explain who (relation to you), where, when and circumstances:
31.	Do you, or anyone close to you, have plans or orders to go to East Africa either as a
mem	ber of the military or as a civilian?
	Yes No
	If yes, please explain who (relation to you), where, when and for what purpose(s):
32.	The Horn of Africa is made up of the eastern most countries in Africa, including Somalia,
Djibo	outi and Ethiopia. Have you ever traveled in the Horn of Africa or have current plans to do
so?	
	Yes No

JUR	OR #
	If Yes, please explain where, when and purpose of trip.
33.	Do you, or anyone close to you, work for the United Nations or the African Union? Yes No
	If yes, please explain where, when and what it is he/she does?
34.	What is your age?
35.	Are you: Male Female
36.	Do you have any problem with your hearing or vision that would make it difficult for you
to se	rve as a juror?
	Yes No
37.	Where were you born?
38.	Where were your parents born?
39.	Where was your spouse or significant other born?
40.	Is English your first language?
	Yes No
41.	Do you have any difficulty speaking, reading or understanding English?
	Yes No

JURO	OR #	
42.	Do y	ou speak, read or understand Arabic, Somali or Swedish (or any dialect of those
langu	ages or	did you grow up in households where those languages or any of their dialects were
spok	en?	
	Yes	No
43.	If yo	u speak, read or understand the Arabic, Somali or Swedish languages (or any related
diale	cts), wo	ould you have any difficulty relying solely upon a translator's translation of the
evide	ence?	
	Yes	No
44.	Are y	you (check one):
Mari	ried	Single Living with another person
Livi	ng with	a domestic partner Divorced/Separated
Wido	ow/Wid	ower
45.	If yo	u have any children, please list only their gender, age, and, if applicable, their
curr	ent occi	upation.
46.	In wl	nat county/area do you reside?
	(a)	How long have you lived in this area?
	(b)	What other places have you lived within the last twenty years?

JURO	OR #	
47.	Are y	ou:
() E	Employe	ed full-time () Retired () Employed part-time () Student
() H	omema	ker () Disabled & unable to work () Unemployed/laid off
	(a)	What kind of work do you do?
	(b)	What is your job title?
	(c)	Do you supervise others?
	(d)	If yes, how many?
	(e)	How long have you held this job?
	(f)	If retired or unemployed, what was your primary vocation?
	(g)	If you are a full time homemaker or a student, please tell us what jobs outside the
home	e (if any	y) you have had in the past five years:
48.	What	t is the highest grade of schooling you have completed?
	() &	th grade or less () Community college () Some high school

JURC	OR #
	() Some four-year college () High school graduate () College graduate () Post-Grad
	(a) Major area(s) of study:
	(b) Degrees or certificates:
49.	What charitable, civic, social, union, professional, fraternal, political, recreational or
religi	ous organizations do you belong to or participate in?
	(a) What offices, if any, have you held in any of these organizations?
48.	Have you previously traveled outside of the United States?
	Yes No
	(a) For Business? Where? When?
	(b) For Pleasure? Where? When?
50.	Have you ever served in the military?
	Yes No
	Branch and highest rank:
	Foreign Stations or Tours:
advis	(a) Is any member of your family serving in the military or as a military contractor or at the present time? Yes No
	If yes, please explain who (relation to you), where, and duty:

JURO	OR #
Deser	(b) Have you or anyone close to you served overseas in Iraq or Afghanistan, or in t Storm or the Persian Gulf War or in Africa?
	Yes No
	If yes, please explain who (relation to you), where, and duty:
(c)	Have you or anyone you know served in the military anywhere in Africa?
	Yes No
	If yes, please explain who (relation to you), where, when and duty:
(d) milita	Have you or anyone close to you been injured or killed while serving in a combat or ry zone? Yes No
or dea	If yes, please explain who (relationship to you), where, when and circumstances of injury oth:
51.	Have you, or anyone close to you, attended law school?
	If yes, please provide the details
52.	Do you or anyone close to you work for a lawyer? Or law firm? Or private investigator?
	If yes, please provide the details

JURO	OR #
53.	Is there anything about your religious affiliation that would be difficult for you to be a
juror	in this case?
Pleas	e explain.
54.	Have you ever experienced what you believe to be discrimination against you because of
your	religious beliefs? Please explain
55.	The Judge who will preside over this case is The Honorable Sandra L. Townes, of the
Unite	ed States District Court for the Eastern District of New York. Do you or anyone close to
you k	know or have any connection with the Judge Townes or any of her staff?
	Yes No
	If yes, please explain:
56.	The government is represented in this case by the United States Attorney, Loretta Lynch,
thoug	gh the conduct of the case is in the immediate charge of the government attorneys appearing
in the	e courtroom. Do you or any relative or friend know or have any connection to Loretta
Lync	h?

JURO	OR #			
	YesNo			
	If yes, please explain:			
			-	
57.	Ms. Lynch was recently nominated to serve as the Attor	ney General	of the United S	tates.
Do y	ou thing that anything about that process or her nomination	n could affec	ct your ability to	be
fair t	o the young men on trial in this case?			
	Please explain:			
58.	This case is being prosecuted by the following government	ent attorney	s. Do you or any	one one
close	to you know any of these attorneys?	**		
	Assistant United States Attorneys Seth DuCharme,		No	
	Shreve Ariail		No	
	Richard Tucker		No	
	Department of Justice Attorney Annamartine Salick	Yes	No	
	And these attorneys are assisted by:			
	FBI Special Agents	Yes	No	
If yo	u answered yes to any of the names above, name the indivi	idual and de	scribe your	
conn	ection and/or your friend or relative's to this individual(s).			

59.	Do w	ou or does any relative	or close	friend b	now or hav	e any con	nection w	rith any of the
	-	•	or crosc	illelia ki	iow of hav	c arry corr	needon w	itii airy or the
follo	wing de	fense lawyers:						
	Attor	neys:						
		David Stern		Yes	No			
		Jane Simkin-Smith		Yes	No			
		Susan Kellman		Yes	No			
		Sarah Kuntsler		Yes	No			
		Ezra Spilke		Yes	No			
		Karloff Commission	g	Yes	No			
		Mark DeMarco		Yes	No			
		your connection and	or your	friend or	relative's	connectio	n to this i	ndividual(s)?
60. defer	Do yo	ou or does any relative			now or hav			rith any of the
	Ali Y	asin Ahmed	Yes _	N	lo			
	Moha	amed Yusuf	Yes _	N	lo			
	Madł	ni Hashi	Yes_	N	lo			
If yes	s, please	e explain who has the co	onnectio	on in deta	il for any i	ndividual:		
11 yes	s, please	e explain who has the co	onnection	on in deta	11 for any 11	ndividual:		

JURO	OR #
61.	Have you followed any criminal cases involving allegations of terrorism?
	Yes No
	Please list the cases and what was or is of interest to you about these cases.
62.	Have you or anyone close to you, applied for or worked for or trained with (check any
that a	apply)
	a. Any law enforcement agency, security or investigative agency, including the
polic	e department, the sheriff's department, or the FBI, CIA, DEA, Secret Service, Dept. of
Hom	eland Security or the Dept. of Justice?
	b. Any prison, jail, detention center or probation office?
	c. A city or town or county attorney?
	d. Any firm that practices criminal law?
	e. Any newspaper, radio, television or social media outlet?
	f. The U.S. Department of State?
	g. The United Nations?
	h. The African Union?
	i. Any United States Embassy in Africa?

JURO	OR #	
	Please state v	who, where, when and the circumstances of such individual's employment.
63.	Have you or	anyone close to you worked for, applied to or had training with:
(Che	ck all that apply	y)
	a.	Any law enforcement, security or investigative agency, including but not limited to police department, state police agency, sheriff's department, the FBI, DEA, Secret Service, Postal Inspection Service, CIA, BICE, INS, Department of Homeland Security and the Department of Justice?
	b.	A prison, jail, detention center or probation services?
	c.	Any city or town attorney, Attorney General, state or federal
		prosecutor, or court?
	d.	Any law firm that practices criminal defense?
	e.	Any newspaper, radio, television, or other media outlet?
circu	If yes to any imstances were.	of the above, please state who (relation to you), where, when and what the
64.	Do you watch	h any television shows that deal with terrorism – either fictional or non-
fictio	onal?	
	If yes, which	show or shows?
65.	Do you think	that anything about your experience with this show might affect your ability
to be	fair and impart	ial in this case? Please explain.
	_	

	Do you watch any television shows regularly?
	If yes, which show or shows?
7.	What social media do you utilize on a daily basis?
8.	Do you subscribe to any online news services?
	If yes, which ones?
9.	This case has received some media attention, which is likely to continue, what, if
nyth	ing, does the media attention suggest to you about the defendants in this case?
	Please explain.
	Is there anything you have seen, heard, or read that would interfere with your ability to
0.	
0. ende	er a fair verdict in this case based solely on the evidence presented in court?

71. Because this case is likely to receive media attention during the trial, the Court wants to make sure that this case is decided solely on the evidence in the courtroom and not based on things that are said outside the courtroom. Accordingly, the Court will be advising you daily that

JURO	R#_						
you m	ust av	oid reading about the case in the news	spapers or lis	tening to any radio or telev	ision		
report	reports about the case, or reading anything about the case on the Internet. The Court will also						
advise	advise you daily that you must avoid discussing this case with friends or family during the course						
of the	trial.						
	(a) V	Would these requirements pose any di	fficulty for y	ou?			
	Pleas	se explain:					
	4) 6						
	. ,	Could you follow these instructions fa	ithfully?				
	Pleas	se explain.					
72.	Wha	t, if anything, have you seen, read or l	heard about t	he following people facing	5		
charge	es in th	nis case?					
73.	Based on anything you may have read, seen, or heard in the media or elsewhere, have						
	you formed an opinion as to the guilt or innocence of any of the defendants in this case?						
	Pleas	se Explain.					
74	. Have	e you ever:					
	(a)	Served as a juror in a civil case?	Yes	No			
	(b)	Served on a grand jury?	Yes	No			

(c)	Served as a juror in a criminal case? Yes N	No
(d) I	Have you ever been a juror in a case where the jury was una	able to reach a ver
	Yes	No
(e) If	You have served on a jury, please list below:	
	(1) the approximate date(s);	
	(2) whether you served in state court or federal c	ourt;
	(3) whether it was a grand jury or a trial jury;	
	(4) whether it was a criminal case or a civil case;	
	(5) what the general nature of the case was (for econtract, negligence, medical malpractice, etc.); and	example, robbery,
	(6) whether or not a verdict was reached.	
(f)	Is there anything about your prior jury experience that w serve again? Yes No	ould make it diffi
Pleas	se explain:	

JURO	OR #
75.	Have you or a member of your family or anyone close to you had any legal action or
dispu	te with the United States or any of its agencies, or any officer, agents or employees of the
Unite	ed States?
	Yes No
Pleas	se explain the nature of your interest in such proceedings:
76.	Have you or a family member or close friend ever had an experience involving the police
FBI,	or any other law enforcement agency, including being interviewed by or making a report to
a law	enforcement officer?
	Yes No
	Please explain:
7	7. Have you or a family member or a close friend ever been arrested, charged or convicted
	for a crime other than a traffic ticket?
	Yes No
	Please explain who (in relation to you), when, nature of the charge and the
circu	mstances:

JUROR #					
78.	What are your primary sources of local and national news?				
79.	Have you already formed an opinion as to the innocence or guilt of any of the defendants				
	in this case?				
	Yes No				
Please	explain:				
80.	Do you have any hobbies?				
	If yes, explain				
81.	Name two people, currently alive – one male and one female – who are likely known to				
	all of us, whom you admire over all others and tell us why you chose these two				
	individuals.				
	MALE:				
	FEMALE:				
82.	Is there any matter not covered by this questionnaire that you feel you should tell us				
	about?				
	Yes No				

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JUROR #	_
If yes please explain:	

JUROR #	
(EXTRA PAGE FOR FURTHER ANSWERS)	

JUROR #	
JUROR'S OATH:	
is true and correct. I fu	penalty of perjury that the information provided in this juror questionnaire arther declare that I have completed this questionnaire without anyone's answers contained in this questionnaire are my own.
Juror's Name:	
Date:	